S.B.CIVIL WRIT PETITION NO. 4476/2006

Vijay Kumar Vs. The Debt Relief Court & Anr.

DATE OF ORDER :: 24th July, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. S.L. Jain, for the petitioner.

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By this petition for writ a challenge is given by the petitioner to the order dated 15.2.2006 passed by learned Judge, Debt Relief Court, Raisinghnagar. By the order aforesaid learned Debt Relief Court turned down request of the petitioner to issue a direction for production of statement of bank account and cheque books.

The contention of learned counsel for the petitioner while assailing validity, correctness and propriety of the order above is that sufficient reasons were available to summon bank account and cheque books but the court below failed to appreciate the same.

Heard learned counsel for the petitioner.

The court subordinate rejected the request made by the petitioner as the applicant failed to tender any justification for calling bank accounts and cheque books. While giving challenge to the order aforesaid learned counsel for the petitioner also failed to explain any

justification for producing the bank account and cheque books concerned.

It is also relevant to note that this petition for writ was filed on 12.4.2006 but the matter was adjourned on various occasions at the request of counsel for the petitioner, and therefore, now at this belated stage that is after a lapse of about one year and six months from the date of passing the order impugned no useful purpose shall be serve even if the writ petition be accepted.

I do not find any error in the order impugned that may warrant interference of this Court under Article 226 and 227 of the Constitution of India.

The writ petition for the reasons mentioned above stands dismissed.

(GOVIND MATHUR),J.

jgoyal